

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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LONNER MELTON,

Petitioner,

Case No. 1:07-cv-682

v.

Honorable Gordon J. Quist

DOUG VASBINDER,

Respondent.

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**ORDER OF TRANSFER**

This is a habeas corpus proceeding brought by a state prisoner pursuant to 28 U.S.C. § 2254. On June 29, 1983, Petitioner was convicted in the Wayne County Circuit Court of one count of assault with intent to commit murder (50-75 years), two counts of first-degree criminal sexual conduct (25 to 40 years), one count of armed robbery (7 1/2 to 15 years) and one count of possessing a firearm during the commission of a felony (2 years). He raises three grounds for habeas corpus relief.

Venue in habeas corpus actions is governed by 28 U.S.C. § 2241. That statute allows a petition to be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d). Petitioner is presently incarcerated at G. Robert Cotton Correctional Facility, located in Jackson County. As set forth above, Petitioner was convicted in Wayne County. Jackson and Wayne counties are located in the Eastern District of Michigan. 28 U.S.C. § 102(a). Venue, therefore, lies in that district, not in the Western District of Michigan.

Accordingly, IT IS ORDERED that this case is hereby transferred to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. § 1406(a).

Dated: August 1, 2007

/s/ Hugh W. Brenneman, Jr.  
HUGH W. BRENNEMAN, JR.  
United States Magistrate Judge